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Docket No. JAB-1517  
XX4

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Bender et al.

Serial No. : 10/4918,257 Art Unit:

Filed : December 13, 2001 Examiner:

For : Cloning and Expression of a Novel 5-HT4 Receptor

I hereby certify that this correspondence is being deposited with the United States Postal Service by Express Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on

January 10, 2003

\_\_\_\_\_  
(Date)

**Myra H. McCormack**

Name of applicant, assignee, or Registered Representative

Myra H. McCormack  
(Signature)

\_\_\_\_\_  
January 10, 2003

\_\_\_\_\_  
(Date of Signature)

Commissioner for Patents  
Washington, D.C. 20231

**Response to the Notification of Missing Requirements**

Dear Sir:

In response to the Notification of missing Requirements under 35. U.S.C. 371, the time for responding being extended until January 29, 2003, kindly amend the application as follows:

**In the specification:**

Kindly delete the existing sequence listing and disk and replace said sequence listing with the copy provided herewith.

REMARKS

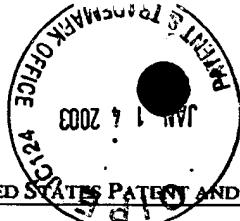
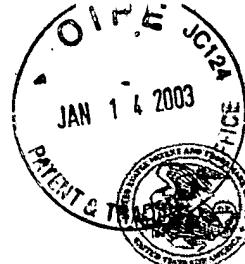
Applicants submit a substitute sequence listing and computer readable copy thereof. The undersigned hereby states that the Paper Copy and the Computer Readable Form, submitted in accordance with 37 CFR 1.821 et seq. are identical. No new matter has been added by these amendments.

Favorable consideration of this application is respectfully requested.

Respectfully submitted,

  
\_\_\_\_\_  
Myra H. McCormack, Ph.D.  
Attorney for Applicants  
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Dated: January 10, 2003



|   |                       |                  |
|---|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO.   | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/018,257  | Eckhard Bender        | JAB-1517         |
| INTERNATIONAL APPLICATION NO.   |                       |                  |
| PCT/EP00/05592  |                       |                  |
| I.A. FILING DATE  |                       | PRIORITY DATE    |
| 06/14/2000  |                       | 06/14/1999       |
| CONFIRMATION NO. 5991   |                       |                  |
| 371 FORMALITIES LETTER  |                       |                  |
|  |                       |                  |
| *OC000000008531189*   |                       |                  |

Date Mailed: 07/29/2002

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Assignee Statement
- Biochemical Sequence Diskette
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Oath or Declaration
- Preliminary Amendments

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Additionally the following defects have been observed:

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
  - The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
  - **APPLICANT MUST PROVIDE:**
    - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
    - A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
  - For Rules Interpretation, call (703) 308-4216
  - To Purchase PatentIn Software, call (703) 306-2600
  - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)
- Additional claim fees of **\$270** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$270** for a Large Entity:

- Total additional claim fee(s) for this application is **\$270**
  - **\$252** for **4** independent claims over **3**.
  - **\$18** for **15** total claims over **20**.
- The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAREN R MCLEAN

Telephone: (703) 308-9117

**PART 1 - ATTORNEY/APPLICANT COPY**

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/018,257                  | PCT/EP00/05592                | JAB-1517         |